

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>March 7, 2007</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2005-110-WS</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		

SUBJECT:

DOCKET NO. 2005-110-WS – Petition of the Office of Regulatory Staff to Request Forfeiture of the Piney Grove Utilities, Incorporated Bond and to Request Authority to Petition the Circuit Court for Appointment of a Receiver – A Rehearing was held on this matter on November 28, 2006 – Discuss this matter with the Commission.

COMMISSION ACTION:

In Order No. 2006-59, and further detailed in Order No. 2006-262, we found that Piney Grove failed to provide service without just cause or excuse and that this failure has continued for an unreasonable length of time. In fact, we also found that that failure was willful.

However, we denied forfeiture of the bond, because we were unable to find specific evidence in the record quantifying the amounts needed for expenditure to repair and replace various components in the Piney Grove system. In Order No. 2006-262, we granted a rehearing in order to take evidence on these itemized expenses.

We heard the evidence on rehearing, and I now move that this Commission declare \$54,605 of the \$125,000 bond forfeited. Based on the testimony on rehearing, and examining both the revenue and expenditures of each receiver, I believe that Richland County lost \$35,670, and DHEC lost \$18,935. The City of Cayce had approximately \$23,495 in net income as a receiver, so I do not believe that any further compensation is necessary for that particular receiver.

Again, however, the total amount of loss for Richland County and DHEC is \$54,605, and I move that this amount out of the total bond be declared forfeited at this time. If subsequent additional net losses on the Piney Grove systems can be shown by the receivers, ORS is authorized to return to the Commission to request further forfeitures.

PRESIDING Hamilton

	MOTION	YES	NO	OTHER		
					APPROVED	<input type="checkbox"/>
					APPROVED STC 30 DAYS	<input type="checkbox"/>
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		ACCEPTED FOR FILING	<input type="checkbox"/>
FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not Voting	DENIED	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		AMENDED	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		TRANSFERRED	<input type="checkbox"/>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SUSPENDED	<input type="checkbox"/>
MOSELEY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		CANCELED	<input type="checkbox"/>
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SET FOR HEARING	<input type="checkbox"/>
					ADVISED	<input type="checkbox"/>
Session: Regular					CARRIED OVER	<input type="checkbox"/>
Time of Session <u>2:30 PM</u>					RECORDED BY <u>Schmieding</u>	

Commissioner Fleming was absent the day of the Hearing